

RECEIVED
CENTRAL FAX CENTER

PATENT
MAY 29 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS : Richard Bruce et al.

TITLE : APPARATUS AND METHOD FOR
DETECTING AND LOCATING RARE
CELLS

APPLICATION NO. : 10/616,366

FILED : July 9, 2003

CONFIRMATION NO. : 2319

EXAMINER : Abolfazi Tabatabai

ART UNIT : 2621

LAST OFFICE ACTION : None

ATTORNEY DOCKET NO. : A2247-US-CIP
XERZ 2 00563-3

3d SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicants submit the following Disclosure Statement concerning art of which the applicants are aware. A copy of PTO/SB/08 Form (renumbered from PTO 1449) is enclosed.

<u>CERTIFICATE OF MAILING OR TRANSMISSION</u>	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being transmitted to the U.S. Patent and Trademark Office by facsimile in accordance with 37 CFR 1.18, to Centralized Facsimile No.571-273-8300, Mail Stop Amendment, Attention Examiner Abolfazi Tabatabai, Art Unit 2621 on the date indicated below.	
May 29, 2007	Mary M. Schriener
Date	By: Mary M. Schriener

Atty Dkt. No. A2247-US-CIP
XERZ 2 00563-3
Page -2-

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with the United States Patent and Trademark Office OG Notice dated 05 August 2003, waiving the requirement under 37 C.F.R. §1.98(a)(2)(i), for submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, Applicant(s) has not enclosed copies of the cited U.S. patents and applications with this Disclosure.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed art requires no further explanation (or no translation is available).

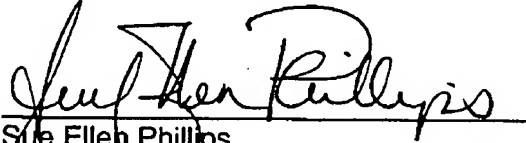
Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to Deposit Account No. 24-0037.

Respectfully submitted,

FAY SHARPE LLP

May 29, 2007
Date


Sue Ellen Phillips
Reg. No. 32,046
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579

Substitute for form 1449A/PTO 2d Supplemental INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)		Complete if Known				
		Application Number	10/616,366			
		Filing Date	July 9, 2003			
		First Named Inventor	Richard H. Bruce et al.			
		Art Unit	2621			
		Examiner Name	Abolfazi Tabatabai			
Sheet 1 of 1		Attorney Docket No.	A2247-US-CIP (XERZ 2 00563-3)			
U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	AA	US-2004/0071330 A1	04-15- 2004	Curry		
	AB	US-2004/013124 A1	07-08-2004	Curry, et al.		
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number Kind Code (if known)				
	AM					<input type="checkbox"/>
	AN					<input type="checkbox"/>
	AO					<input type="checkbox"/>
	AP					<input type="checkbox"/>
OTHER NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				T
	AQ					<input type="checkbox"/>
	AR					<input type="checkbox"/>
	AS					<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

N:\XERZ\200563\3AWMS0002370V001.docx